

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 11-232 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

David James Cook,

Defendant.

Deidre Y. Aanstad, Assistant United States Attorney, United States Attorney's Office,
counsel for Plaintiff.

Deborah K. Ellis, Esq., Ellis Law Office, counsel for Defendant.

Based upon the Report and Recommendation of United States Magistrate Judge
Leo I. Brisbois, no objections having been filed in the requisite time period, and after an
independent review of the files, records and proceedings in the above-entitled matter,

IT IS HEREBY ORDERED:

Based on the foregoing, and all the files, records and proceedings herein,

Defendant's Motion to Dismiss (Doc. No. [16]) is **DENIED**.

Dated: October 17, 2011

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge